

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

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|------------------------------|---|---------------------------------|
| FRANKLIN J. SALCEDO, |) | |
| |) | |
| PLAINTIFF |) | |
| |) | |
| v. |) | CIVIL No. 2:19-cv-66-DBH |
| |) | |
| WILLIAM KING, ET AL., |) | |
| |) | |
| DEFENDANTS |) | |

ORDER OF DISMISSAL OF LAWSUIT

On July 16, 2019, I adopted the Magistrate Judge's Recommended Decision of June 20, 2019, in this case, because the *pro se* plaintiff had not objected to the Recommended Decision, (ECF No. 19). My adoption of the Recommended Decision dismissed the plaintiff's right to privacy claim but allowed him to proceed on his deliberate indifference claim. Given his failure to respond to the Recommended Decision of June 20, I noted that the plaintiff was no longer at the Cumberland County Jail (where the Clerk's Office had sent the Recommended Decision and received it returned as undeliverable, (ECF Nos. 17, 18)). But on June 24, the plaintiff had provided by phone to the Clerk's Office a new address, (ECF No. 16), and the Clerk's Office forwarded the Magistrate Judge's Recommended Decision there on July 1 & 2, 2019. See Clerk's Office entry, (ECF Nos. 17, 18). Since the plaintiff still failed to respond, even with the new address, I ordered him to show cause within 21 days why his lawsuit should not be dismissed for lack of prosecution under Local Rule 41.1(b), (ECF No. 19).

In response to the Order, on August 6, 2019, the plaintiff provided a second new address, (ECF No. 21), that the Clerk's Office now is using, and also requested an extension of 30 days, (ECF No. 23). I granted his request for an extension that same day, (ECF No. 24). But he has made no further filings, and it appears that no defendant has been served.

Accordingly, I now **DISMISS** the lawsuit **WITHOUT PREJUDICE** for lack of prosecution. See Local Rule 41.1(b).

SO ORDERED.

DATED THIS 18TH DAY OF SEPTEMBER, 2019

/s/D. BROCK HORNBY

D. BROCK HORNBY

UNITED STATES DISTRICT JUDGE